

Appln. No.: 10/646,472  
Amendment dated June 9, 2006  
Reply to Office Action of March 10, 2006

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 2. In Fig. 2, label 205 has been deleted.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

### **REMARKS/ARGUMENTS**

The office action of March 10, 2006 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 7-14 remain in this application. Claims 1-6 and 15-18 have been canceled without prejudice or disclaimer as being directed to a non-elected inventions. Applicants reserve the right to pursue the subject matter of the canceled claims in a divisional application.

The drawings stand objected to for failing to show every feature of the claimed invention. Specifically, the Examiner alleges that the “leaf node below a pinned node” is not shown in the drawings. Applicants have amended paragraphs [207] and [208] to refer to an example of a leaf node below a pinned node with reference to Fig. 11B. Applicants submit that one of ordinary skill in the art would have appreciated the particular example provided such that it does not constitute new matter.

The drawings also stand objected to for including a reference element numeral not mentioned in the specification. Specifically, in Fig. 2, element 205 is not described in the specification. Applicants have amended Fig. 2 to remove label 205. Accordingly, withdrawal of this objection is respectfully requested.

Claims 7 and 10-12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 7 has been amended to clarify the outcome if the various “if” statements are not achieved. Regarding claims 10-12, support for these claims can be found in paragraph [208]. An illustrative implementation of the claim 10 invention refers to the “hard” pin ink scenario. An illustrative implementation of the claim 11 invention corresponds to the “hard” pinning with late strokes scenario. An illustrative implementation of the amended claim 12 invention refers to the “soft” pinning scenario. Applicants submit that claims 10-12 are sufficiently definite to provide one of ordinary skill in the art an understanding of the metes and bounds of the invention.

Claims 7-14 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have amended claim 7 to clarify that the first and second data structures are each stored on a computer readable medium.

Claims 7-9, 13 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. published application no. 20020133507 to Holenstein et al. (“Holenstein”) in view of US

patent 5588147 to Neeman et al. (“Neeman”). Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Holenstein in view of Neeman, as applied to claims 7-9, 13 and 14, and further in view of Brush, Gupta, Barger and Cadiz, “Robust Annotation Positioning in Digital Documents,” published 9/22/2000, Microsoft Corporation, Technical Report (referred to hereinafter as “Gupta” to be consistent with the office action). Applicants respectfully traverse these rejections.

As amended, independent claim 7 calls for, among other features, for each node in the second data structure including a change, attempting to access the corresponding node in the first data structure; if the corresponding node in the first data structure is inaccessible, preventing the change from occurring; if the corresponding node in the first data structure is accessible, determining, if the change to the second data structure creates a mandatory collision or a discretionary collision, and if the change to the second data structure creates a mandatory collision, preventing the change from occurring. To show the feature of, for each node in the second data structure including a change, attempting to access the corresponding node in the first data structure, the action relies on Holenstein at paragraph [0027], lines 1-4, paragraph [0036], lines 1-2 and Figure 1. In particular, the action alleges that because the consumer “applies” changes to the second database in Holenstein that the claim 7 features of attempting to access the corresponding node in the first data structure is shown. Applicants respectfully disagree that “applies” teaches or suggests “attempting to access.” Notably, applying changes as described in Holenstein does not teach or suggest that a data structure may not be accessed. To clarify this event further, applicants have specifically recited what occurs if the corresponding node in the first data structure cannot be accessed in reciting that if the corresponding node in the first data structure is inaccessible, preventing the change from occurring. Clearly, Holenstein does not contemplate or in any way suggest attempting to access the corresponding node in the first data structure; and if the corresponding node in the first data structure is inaccessible, preventing the change from occurring as recited in claim 7.

Neeman does not remedy the above-noted deficiency of Holenstein. While Neeman describes conflict resolution, Neeman also does not contemplate or in any way suggest attempting to access the corresponding node in the first data structure; and if the corresponding

node in the first data structure is inaccessible, preventing the change from occurring as recited in claim 7. For at least this reason, the combination of Holenstein and Neeman, even if proper, would not have resulted in the claim 7 invention.

In addition, the action relies on Neeman at col. 8, lines 21-31 to show if the corresponding node in the first data structure is accessible, determining, if the change to the second data structure creates a mandatory collision or a discretionary collision. However, contrary to the action's assertion, Neeman does not teach or suggest determining if a change creates a mandatory collision or a discretionary collision as recited in claim 7. Tellingly, Neeman is wholly devoid of any mention, teaching or suggest of the concept of mandatory and discretionary collisions. Amended claim 7 specifically recites how mandatory and discretionary collisions are handled: if the change to the second data structure creates a mandatory collision, preventing the change from occurring, if the discretionary collision is not forbidden by the collision criteria, making the change to the corresponding node in the first data structure, and if the discretionary collision is forbidden by the collision criteria, preventing the change from occurring. For this additional reason, the combination of Holenstein and Neeman, even if proper, would not have resulted in the claim 7 invention.

In view of the foregoing, claims 8, 9, 13 and 14, which each depend from claim 7, are patentably distinct over the combination of Holenstein and Neeman for the same reasons set forth above, and further in view of the additional advantageous features recited therein.

Claims 10-12 stand rejected over the combination Holenstein and Neeman further in view of Gupta. Gupta however, fails to remedy the defects of the combination of Holenstein and Neeman noted above with respect to claim 7 from which claims 10-12 depend. As such, notwithstanding the propriety of combining Holenstein and Neeman with Gupta, the combination would not have resulted in the invention of claims 10-12 for at least the same reasons as claim 7, and further in view of the additional advantageous features recited therein.

**CONCLUSION**

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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